

Message Text

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ORIGIN L-03

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FM SECSTATE WASHDC

TO AMEMBASSY OSLO PRIORITY

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E. O. 11652, N/ A

TAGS: PFOR, CPRS, NO

SUBJECT: EXTRADITION- CONSTANTINOS ANASTASIOU SYNGRASSIDES

REF: OSLO 1049

1. FOLLOWING IS CONTENTS OF AFFIDAVIT RECEIVED TODAY
FROM ASSISTANT UNITED STATES ATTORNEY JOHN D. GORDAN.

QTE JOHN D. GORDAN III, BEING DULY SWORN, DEPOSES
AND SAYS:

1. I AM AN ASSISTANT UNITED STATES ATTORNEY IN
THE OFFICE OF WHITNEY NORTH SEYMOUR, JR., UNITED STATES
ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW YORK.

2. THIS AFFIDAVIT SUPPLEMENTS MY AFFIDAVIT SWORN
TO NOVEMBER 21, 1972, IN THIS CASE. ITS CONTENTS ARE
INCORPORATED HEREIN BY REFERENCE.

3. CHAPTER 47 OF TITLE 18, UNITED STATES CODE,
WHICH IS ENTITLED QTE FRAUD AND FALSE STATEMENTS UNQTE
CONTAINS SECTIONS 1001 THROUGH 1027. THE SECTIONS IN
CHAPTER 47 OF TITLE 18, UNITED STATES CODE, RELATE TO
FRAUD AGAINST THE UNITED STATES GOVERNMENT, ITS
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DEPARTMENTS AND AGENCIES, AND BANKS THE DEPOSITS OF WHICH THE UNITED STATES GOVERNMENT INSURES.

4. CHAPTER 63 OF TITLE 18, UNITED STATES CODE, CONTAINS SECTIONS 1341 THROUGH 1343. SECTIONS 1341 AND 1343 MAKE IT A CRIME TO USE THE MAILS TO PERPETRATE UPON ANY PERSON OR INSTITUTION A SCHEME TO DEFRAUD OR TO OBTAIN MONEY OR PROPERTY BY FALSE PRETENSES. SECTION 1343 - ALREADY EXPLAINED IN MY PREVIOUS AFFIDAVIT - MAKES IT A CRIME TO USE INTERSTATE OR INTERNATIONAL WIRE FACILITIES IN FURTHERANCE OF SUCH A SCHEME.

5. IN THE CASE OF SYNGRASSIDES, CHAPTER 47 OF TITLE 18, UNITED STATES CODE, IS INAPPLICABLE, SINCE IT IS NOT CHARGED THAT HIS FRAUD WAS PERPETRATED UPON THE UNITED STATES GOVERNMENT, ITS AGENCIES OR DEPARTMENTS OR BANKS IT INSURES (OR THAT THE FRAUD WAS PERPETRATED WITHIN THE SPECIFIC MARITIME AND TERRITORIAL GEOGRAPHICAL AREA REFERRED TO IN SECTION 1025). RATHER, IT IS CHARGED THAT THE DEFENDANT DEFRAUDED SHIPOWNER AND OTHER PRIVATE INDIVIDUALS AND USED AND CAUSED USE OF INTERSTATE AND INTERNATIONAL WIRE FACILITIES TO CARRY OUT THE SCHEME. THIS CONDUCT BY SYNGRASSIDES VIOLATES THE SPECIFIC PROVISIONS OF SECTION 1343 OF TITLE 18, UNITED STATES CODE, AND THE INDICTMENT APPROPRIATELY CHARGES SYNGRASSIDES UNDER THAT SECTION.

6. IT SHOULD BE NOTED THAT UNDER THE LAWS OF THE UNITED STATES, CRIMINAL CONDUCT MAY OFTEN VIOLATE MORE THAN ONE PROVISION OF LAW. IN THESE CIRCUMSTANCES, THE CRIMINAL MAY BE CHARGED UNDER ANY (OR ALL) OF THE SECTIONS WHICH HIS CONDUCT VIOLATES, AT THE DISCRETION OF THE UNITED STATES GOVERNMENT AND THE GRAND JURY. UNQTE.

2. AUTHENTICATED ORIGINAL WILL BE SENT AIR MAIL.

3. YOU MAY DISCUSS THE FYI PART OF STATE 48844 WITH PROSECUTOR. UNFORTUNATELY, WE DO NOT HAVE ANY ADDITIONAL INFORMATION RE WHAT WAS BEHIND BRITISH DECISION NOT TO PROSECUTE.
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4. JUSTICE STATES INDICTMENT, WARRANT OF ARREST AND
ANY AFFIDAVITS THAT WERE NOT REPEAT NOT PART OF GRAND
JURY RECORD CAN BE RELEASED TO PRESS. GRAND JURY
PROCEEDINGS, HOWEVER, WERE PROVIDED BY COURT ORDER FOR
THE PURPOSES OF EXTRADITION HEARING ONLY AND CANNOT
BE RELEASED TO PRESS. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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